

ANALYSIS AND FINDINGS FOR DESIGN REVIEW APPROVAL

Discussion

The following section evaluates the decision criteria for a Design Review Three. Following each approval criterion, findings are made, based primarily on the written narrative and plans submitted by the applicant, establishing that the criterion is met.

Major Issues

1. Adequacy of screening along the northern property line.
2. Trash enclosure materials and effectiveness for screening and compatibility with surrounding buildings.
3. Appropriateness of landscape material and overall planting design.

Section 40.20.05. Design Review Applications; Purpose

The purpose of Design Review is to encourage originality, flexibility, and innovation in development, site planning, buildings, structures, and landscaping. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development. This Section is carried out by the approval criteria listed herein.

Board of Design Review Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Board as they evaluate and render decisions on Design Review Three applications. The Facilities Review Committee has reviewed the Facilities Review criteria of Section 40.03, and found that there are conditions of approval applicable to the Design Review request. The Board will determine whether the application as presented, meets the Design Review approval criteria. The Board may choose to adopt, not adopt or modify the Committee's findings and recommended Conditions of Approval. In this report, staff evaluates the application in accordance with the criteria for Design Review Three.

Section 40.20.15.3.C Approval Criteria

In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. ***The proposal satisfies the threshold requirements for a Design Review Three application.***

Facts and Findings:

Section 40.20.15.3.A *Threshold: An application for Design Review Type Three shall be required when the following threshold apply:*

“Nonresidential development that will create more than 2,500 gross square feet of floor area on property located in any residential zoning district or within a distance of up to and including fifty feet (50’) from any residential zoning district.”

The applicant proposes to construct an approximately 11,171 square foot building on land which is adjacent to a residential zoning district at the northern portion of the property; therefore, the proposal meets the threshold requirement for a Design Review Three application.

Therefore, staff find that the criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

Facts and Findings:

The applicant paid the required associated fees of \$1,715.00 for a Design Review Three application on May 14, 2004.

Therefore, staff find that the criterion is met.

3. *The proposal will not obstruct any existing or approved vehicular, pedestrian, or bicycle connection identified in the Comprehensive Plan.*

Facts and Findings:

The Design Review application has been reviewed by the Facilities Review Committee and found to be in conformance with Development Code standards for circulation and in conformance with the Comprehensive Plan for streets. SW Beaverton Hillsdale Highway is designated as an “Arterial”, where sidewalks are existing and bike lanes will be provided in the future. As part of the application the Committee has reviewed the proposal with respect to the needs and impacts upon on-site and off-site pedestrian, bicycle and vehicle circulation and find that the applicant proposes as part of this application the necessary on-site pedestrian walkways, at a minimum of 4 feet in width, in coordination with the adjacent SW Beaverton Hillsdale Highway right-of-way and circulation system. The location of the proposed building does not preclude or limit the use of any existing, approved or Plan identified pedestrian, bicycle or vehicle route.

Therefore, staff find that the criterion is met.

4. ***That, in relationship to the existing surroundings and future allowed uses, the location, size, shape, height and spatial and visual arrangement of the uses and structures are compatible, with consideration given to increased setbacks, building heights, shared parking, common driveways and other similar considerations.***

Facts and Findings:

The applicant is proposing shared parking and two common driveways, to be shared between the existing building and the new spa building. The Facilities Review Committee has reviewed the request for shared parking and has found that with recommended conditions of approval, the proposal will be adequate to serve the two buildings. The Committee also reviewed the request for shared driveways and have recommended conditions of approval to ensure users of the two buildings will have adequate access to the building and parking areas.

The spa building is proposed to be 30 feet 7 inches, which is within the maximum permitted height of the CS zone. The existing uses to the south, west, and east of the site are commercial in nature with existing residential uses to the north. The applicant is proposing to visually mitigate for the building impact along the northern property line through the use of vegetative screening. The applicant is proposing to break up the north elevation of the building and to screen the new building with a combination of Knobcone Pines and Smaraga Arborvitae. The applicant is also proposing to construct a cedar solid fence along the northern property line for additional screening. Staff requests that the Board review the applicant's proposed screening for this area along the north property line to determine if it will provide adequate screening of the new commercial building.

The applicant is proposing the loading and customer pick up activities to be located at the rear of the existing building and adjacent to the east elevation of the new spa building. The applicant is requesting through a separate Loading Determination to modify to dimensional requirements of the two loading berths. The Committee reviewed the applicant's request and have recommended conditions of approval to ensure the loading areas will remain clear for loading activities.

Therefore, staff find that the criterion is met.

5. ***That there is a desirable, efficient and workable interrelationship among buildings, building entrances, transit stops, transit facilities and routes, parking, loading areas, circulation, open spaces, landscaping and related activities and uses on the site.***

Facts and Findings:

The applicant is not proposing any transit stops or transit facilities and routes. As illustrated on the applicant's site plan, the primary building entrance of the existing

building is located on the south elevation facing SW Beaverton Hillsdale Highway and the entrance for the new spa building is proposed to be located on the south elevation, behind the existing building. The building entrances are adjacent to customer parking areas and in close proximity to SW Beaverton Hillsdale Highway with walkways providing pedestrian linkages to the entrances. The applicant's proposal is to locate a one way driveway entrance in the southwestern corner of the property, relying on a curb cut on the adjacent Miller Paint property. The Facilities Review Committee have recommended conditions of approval to ensure the necessary easements and signage are provided. The separation between the primary entrance and loading activities should minimize conflicts between delivery trucks and customers. The proposed on-site walkway connection between SW Beaverton Hillsdale Highway and the new spa building will provide efficient pedestrian circulation to the rear of the site.

The Facilities Review Committee reviewed the proposal for compliance with all applicable provisions of Development Code Chapter 60 and for safe, efficient on-site vehicular and pedestrian circulation. Staff cite the findings under Design Review #3, and #4 above, and Facilities Review Criteria #4 and #7 as applicable, as they satisfactorily describe the proposal by the applicant as it relates to transportation, parking, and circulation.

Therefore, staff find that the criterion is met.

- 6. *For Significant Natural Resource sites, that treatment of the natural features which have been identified on the site as part of the City's natural resources inventory process, and the siting and design of buildings and other improvements, are appropriate to protect such features.***

Facts and Findings:

The site does not contain a Significant Natural Resource.

Therefore, staff find the criterion is not applicable.

- 7. *That the development has been designed to, where possible, incorporate and preserve existing trees and vegetation of significant size and species. Consideration shall be given to whether wildlife habitat preservation, survival of the tree species, and aesthetics can best be achieved by preserving groves or areas of trees as opposed to only individual trees.***

Facts and Findings:

The site is currently developed with an underdeveloped area at the northern portion of the property which consists primarily of impervious surfaces with existing trees

in the pervious area. The applicant has submitted under separate cover a Tree Plan Three application to request removal of the existing trees and vegetation within this portion of the property, necessary to be removed in order to accommodate the new spa building and site modifications. Staff will review the landscape and street trees proposed for removal within the findings of the staff report for the associated Tree Plan Three application, TP2004-0021.

Therefore, staff find that the criterion is met.

8. ***That the proposed development does not detract from the existing character of historic buildings or features both on the site and within the immediate area.***

Facts and Findings:

There are no known historic buildings or historic trees located on the site or within the immediate area.

Therefore, staff find the criterion is not applicable.

9. ***That grading and contouring of the site shall take place with particular attention to minimizing the possible adverse effect of grading and contouring on the natural vegetation and physical appearance of the site.***

Facts and Findings:

The criterion intends to encourage development to make use of existing topography where feasible in order to retain natural vegetation; and when substantial grading is necessary, to encourage the creation of landforms that are appropriate for the site and abutting properties.

Staff cite the findings of the Facilities Review Committee for technical criterion number 9 as applicable to the above mentioned criterion. The Committee reviewed grading as it relates to the proposed site and building improvements and right-of-way improvements required with this project. As stated in Design Review criterion #8 above, the applicant is requesting removal of the existing trees and vegetation in the northern portion of the site to accommodate redevelopment of the parcel. The applicant is proposing to screen the spa building from properties to the north with vegetation.

Therefore, staff find that the criterion is met.

- 10. *That the quality, location, size and aesthetic design of walls, fences, berms, traffic islands, median areas, hedges, screen planting and landscape areas have minimal adverse effect on existing or approved abutting land uses.***

Facts and Findings:

The criterion intends to encourage quality of design and materials, and aesthetic consideration given to site elements, other than buildings, and to landscape features and to consider their overall compatibility with the surrounding properties.

The applicant is not proposing any berms, traffic islands, median areas, fences, or hedges. Cedar fencing is proposed between the existing residential properties to the north and the spa building, as screening between the different uses.

The applicant is proposing a wooden fence as screening for the trash enclosure. The trash enclosure is in a prominent area of the site and will be visible to the users. Staff will request during the public hearing that the Board review the adequacy of the screening material and its compatibility with surrounding buildings.

The applicant's landscape plan proposes expansive areas of Kewensis Euonymus and New Zealand Brass Buttons as groundcover with few other vegetative materials. The applicant is also proposing Star Jasmine to be planted on trellis structures along the southern spa building elevation. As staff understands, Star Jasmine is not entirely hardy in this climate and even considering the protected location, the plant may not survive major frosts. Staff will request during the public hearing that the Board evaluate if the proposed plant material is appropriate and if it will adequately cover, year round, the landscape areas. In addition, the Board will be asked to determine if the overall landscape plan should have additional shrub and tree vegetation introduced.

Therefore, staff find that the Board of Design Review will determine if the criterion is met.

- 11. *That proposed lighting is appropriate for the use and does not adversely impact surrounding properties.***

Facts and Findings:

The criterion has been typically implemented by the Board of Design Review, by consideration of the intensity of visible illumination as measured at the ground. Illumination greater than 0.5 footcandle is considered to be excessive beyond the property line, and would therefore be considered an adverse impact. In addition, the Board has consistently used 0.5 footcandle as the minimum illumination for parking and drive areas.

The lighting plan shows locations of lights and areas of illumination at 0.5 foot candlepower emitted from a combination of wall, bollards, and pole mounted lights. The applicant has provided manufacturer's cut sheets that correlate to the lighting plan illustrating the specific proposal for lighting of the commercial building and parking areas. The applicant's lighting plan contains a chart that identifies the fixture schedule in correlation with the manufacturer's cut sheets. The plan illustrates that levels of illumination beyond the .5 footcandle will not cross the property lines, particularly to the north.

Staff find the proposed lighting is appropriate for the use and the area of illumination, from all light fixtures, measured at the 0.5 foot candle will not adversely affect neighboring properties or public right-of-way.

Therefore, staff find that the criterion is met.

12. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Facts and Findings:

The applicant has submitted the required application materials for review of a Design Review Three application. This review process is a required step to receive City approval for the applicant's proposal. The developer has submitted three additional applications including, a Tree Plan Three (TP2004-0021), a Loading Determination (LO2004-0002), and a Shared Parking Determination (LD2004-0001). Because the applications are being reviewed concurrently the Board will review all four (4) applications at one public hearing.

Therefore, staff find that the criterion is met.